



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
55 Great Republic Drive  
Gloucester, MA 01930-2276

National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460

Mar 16 2017

Re: FOIA Request No. DOC-NOAA-2017-001833

Dear FOIA Officer:

The National Oceanic and Atmospheric Administration (NOAA) received a Freedom of Information Act request entered into FOIAonline October 11, 2016 from Margaret Townsend at the Center for Biodiversity, in which she requested access to copies of:

“The Center requests from the National Marine Fisheries Service (“NMFS”) all records prepared pursuant to the U.S. Environmental Protection Agency’s (“EPA”) obligation under Section 7 of the Endangered Species Act, 16 U.S.C. §§ 1531-1544 (“ESA”) to consult with NMFS to ensure no jeopardy to listed species or adverse modification of critical habitat for EPA’s approvals of the following:

1. The EPA’s September 17, 2013 approval of changes to New Hampshire’s aquatic life water quality standards;
2. The EPA’s September 15, 2015 approval of changes to Vermont’s aquatic life water quality standards;
3. The EPA’s February 2, 2015 approval of changes to Maine’s aquatic life water quality standards;
4. The EPA’s June 5, 2015 approval of changes to Maine’s aquatic life water quality criteria;
5. The EPA’s February 24, 2011 approval of changes to Connecticut’s aquatic life water quality criteria; and
6. The EPA’s April 6, 2016 approval of North Carolina’s water quality standards.

This request includes, but is not limited to, letters of concurrence, “no effect” determinations, biological opinions, biological assessments, and biological evaluations.”

During our search for records, we identified 30 documents, in which NOAA’s equities were deemed fully releasable, that originated with U.S. Environmental Protection Agency. This referral also contains 1 document, in which NOAA’s equities are partially redacted under exemption b5. Therefore, according to DOC regulations 15 C.F.R. § 4.5(b), we are referring



part of Margaret Townsend's request to your office for a review/release determination. We have advised the requester that she will receive a direct response from your office.

Thank you in advance for sending NOAA a copy of your response to the requester. If you have questions regarding this referral, please contact Amanda Patterson at [Amanda.Patterson@NOAA.gov](mailto:Amanda.Patterson@NOAA.gov) or call (978) 281-9210

Sincerely,

Amanda J. Patterson, MLS  
FOIA Coordinator, Greater Atlantic Region

cc: Mark Graff,